

1 SENATE BILL 158

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024**

3 INTRODUCED BY

4 Joseph Cervantes and Peter Wirth

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10 AN ACT

11 RELATING TO THE CONSTITUTION; CREATING A CONSTITUTIONAL  
12 REVISION COMMISSION; PROVIDING POWERS AND DUTIES; MAKING AN  
13 APPROPRIATION; DECLARING AN EMERGENCY.

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15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. TEMPORARY PROVISION--CONSTITUTIONAL REVISION  
17 COMMISSION--CREATION--COMPOSITION--TERMS.--The "constitutional  
18 revision commission" is created. The commission is composed of  
19 fifteen voting members who shall be appointed by the governor  
20 with five members appointed from each congressional district,  
21 of which at least two shall be enrolled members of Indian  
22 nations, tribes or pueblos, giving due consideration to the  
23 state's historical and cultural communities. Not more than  
24 eight voting members shall belong to the same political party.  
25 Members shall not have changed their party affiliation in the

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1 preceding two years. In addition, two members of the house of  
2 representatives, appointed by the speaker of the house of  
3 representatives; two members of the senate, appointed by the  
4 president pro tempore; the chief justice of the supreme court  
5 or the chief justice's designee; and the attorney general or  
6 the attorney general's designee shall serve on the  
7 constitutional revision commission in an advisory and  
8 consulting capacity. The commission shall function for three  
9 years from the date of its appointment.

10 SECTION 2. TEMPORARY PROVISION--OFFICERS--VACANCIES.--The  
11 constitutional revision commission shall elect a chair and  
12 other necessary officers from among its members. Vacancies on  
13 the commission shall be filled by appointment by the original  
14 appointing authority.

15 SECTION 3. TEMPORARY PROVISION--POWERS AND DUTIES.--The  
16 constitutional revision commission shall examine the  
17 constitution of New Mexico and the constitutions of other  
18 states to recommend changes in the constitution of New Mexico  
19 as it deems desirable and necessary. Upon majority approval of  
20 the fifteen members appointed by the governor, legislation  
21 shall be drafted by the legislative council service in  
22 accordance with the provisions of Article 19 of the  
23 constitution of New Mexico.

24 SECTION 4. TEMPORARY PROVISION--REPORTS AND  
25 RECOMMENDATIONS.--The constitutional revision commission shall

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1 make a full report of its findings and recommendations to the  
2 governor and the legislature along with any recommended  
3 legislation to the fifty-eighth legislature.

4       **SECTION 5. TEMPORARY PROVISION--STAFFING.--**The  
5 constitutional revision commission shall be staffed by the  
6 legislative council service. The non-drafting staff and non-  
7 drafting research work shall be supervised by the chair of the  
8 constitutional revision commission.

9       **SECTION 6. TEMPORARY PROVISION--SUBCOMMITTEES.--**In the  
10 performance of its duties, the constitutional revision  
11 commission may divide into subcommittees, but the findings and  
12 recommendations of the commission shall be adopted and reported  
13 only upon a majority vote of the commission.

14       **SECTION 7. TEMPORARY PROVISION--PER DIEM AND**  
15 **MILEAGE.--**Members of the constitutional revision commission  
16 appointed by the governor shall receive per diem and mileage as  
17 provided in the Per Diem and Mileage Act and shall receive no  
18 other compensation, perquisite or allowance. The legislative  
19 advisory members shall be paid per diem and mileage as provided  
20 by law for legislators serving on New Mexico legislative  
21 council-appointed committees.

22       **SECTION 8. APPROPRIATION.--**Two hundred thousand dollars  
23 (\$200,000) is appropriated from the general fund to the  
24 legislative council service for expenditure in fiscal years  
25 2024 through 2027 to carry out the duties of the constitutional

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1 revision commission. Any unexpended or unencumbered balance  
2 remaining at the end of fiscal year 2027 shall revert to the  
3 general fund.

4 SECTION 9. EMERGENCY.--It is necessary for the public  
5 peace, health and safety that this act take effect immediately.